

CA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RECEIVED
JUL 28 2008
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MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

LAWRENCE W. OUSEN

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

vs.

Case 08CV4258
(To JUDGE NORGLE
MAG. JUDGE DENLOW

Mike Tatman ; Julie Darr

Aurora Police Dept

Officer Hester

Officer Ellis

Good Samaritan Hospital

Aurora EMT ; Van Horn

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

X

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

I. Plaintiff(s):

- A. Name: Lawrence W. Ouse
- B. Date of Birth: 3/15/61
- C. List all aliases: Kenneth DeLand - Kenny Dorney
- D. Prisoner identification number: N93734
- E. Place of present confinement: Jacksonville Correctional Center
- F. Address: 2268 E. Morton Ave., Jacksonville, FL 62650

(If there is more than one plaintiff, then each plaintiff must list his or her name, date of birth, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: Mike Tatman
Title: Assistant Public Defender
Place of Employment: Office of Public Defender - Kane County Judicial Center ^{suite 200} 376777 Route 38
St. Charles, IL 60175
- B. Defendant: Aurora Police Department
Title: Police Department
Place of Employment: 350 North River St., Aurora, IL 60506
- C. Defendant: Brian A. Hester - Officer
Title: Police Officer
Place of Employment: Aurora Police Dept., 350 North River St. Aurora, IL 60506

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

Addendum

To II Defendant(s)

D. Defendant: Officer Ellis

title: Police Officer

Place of Employment: Aurora Police Dept. 350 N. River St. IL 60506 ^{Aurora}

E. Defendant: Good Samaritan Hospital

Title: Administrator of Records

Place of Employment: Good Samaritan Hospital 3850 Highland ^{Downers} Grove IL 60505

F. Defendant: Aurora E.M.T. Mr Van Horn

title: Aurora E.M.T.

Place of Employment: Aurora IL ^{address unknown} At this time

G. Defendant: Julie Darr

title: Assistant Public Defender

Place of Employment: 37 W 777 Rt 38 St Charles IL 60175 ^{Suite 200}

H. Defendant: Mrs. Engelsman

title: Assistant Public Defender

Place of Employment: UNKNOWN, At this time

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: _____

- B. Approximate date of filing lawsuit: _____
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: _____

- D. List all defendants: _____

- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): _____
- F. Name of judge to whom case was assigned: _____

- G. Basic claim made: _____

- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): _____

- I. Approximate date of disposition: _____

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

On April, 28-2007, I invited my astranged wife of 22 year's (Susan Ousen) to my residence, 500 S. Broadway Apt 3 Aurora IL 60605, to discuss our divorce. When she got off the train she was drunk, and stayed drunk the hole time she was at my apartment. She argued with me about not giving me a divorce. So I asked her to leave several time's, But she would not leave. After the third day I could not take anymore arguing, so I went to the nabor's to see if I could stay there, so I could get away from Sue. But By night Fall May, 1-2007 She found me, and she was stil drunk. She came into the nabor's, and started arguing again. At that time the nabor asked us to leave, I left, and sue wouldnot, I was happy to go home alone. When I got home, I Locked all my door's, so my wife, astranged wife (sue) could not get in. I was working in my attic, when I heard banging on the door, I ignored it thinking the banging was my wife. About a half hour latter, I heard noise down stair's,

Then the trap door was pulled open, and to my surprise there were Four, or Five police officer at the bottom of the stairs with there gun's drawn. Officer Ellis told me to come out of the attic, as I started down the stairs my pant leg got caught on a spring from the trap door, that when officer's grabed me, and pulled me off the ladder - stairs. Officer Ellis seemed to be angry with me for getting caught on the spring, and taking my time. I rember hitting the wall and then the floor real hard. AS I tryed to get up I was being hit, and kicked by officer Ellis, officer Hester, and other Aurora police officer, who at this time name's are unknown to me. After the third or Fourth blow to the head I blacked out, when I came too I was in the Hospital, I was unable to move my arms, legs or head. I remember that I could not even move my eye's or talk. I remember feeling paralyzed, and screaming inside my head, Because Noone would awnser me. I thought I was dreaming, and could not understand why the Aurora police would bet me so bad. I don't know how long the screaming inside my head went on but it seemed Like hour's and hour's. When I started to feel movement in my body my head hurt real bad, and I was having a hard time breathing,

I kept thinking I was going to die. I kept gasping, and gagging when a Doctor or Nurse came in, and said that there were tubes in my throat, and told me to relax. That they will be taking them out shortly, and I'll be able to breath on my own. After the tubs came out every bone in my body hurt. To this day I still don't know why the Aurora Police bet me so bad. (Could it be criminal history?) When I could finly move again I noticed a Aurora police officer sitting to the right of me. I tryed several time to ask him what happend. When he Finally understood me, he informed me that I was under arest for agg. battery, resisting a peace officer, and dom. battery. I remember wondering who the dom. batter, and other charges were against. So I asked the officer, and could not beleave this to be true, because I never hit Sue OUSEN, or anyone else. (I was the one beten.) I don't know the time, or the date the Hospital released me to the custody of the Aurora police, but when the transport officer, and I got to the police department I asked why it took so long to get there. I was told that the Aurora E.M.T. took me to Downer's Grove Hospital (The Good Samaritan) that's Four town's away from

Aurora. Then the transport officer informed me that it was her husband that I hit. I told her that I did not remember hitting him, and that I was sorry if I did. I still can't believe that I did any such thing. I believed I was being lied to to cover up the beating officers Ellis, and Hester, and other gave me. To this day I believe the reason I was taken to a Hospital Four towns away, was so I would die. IF what the transport officer from Aurora jail, to Kane county jail told me is true. After my bond was set Two Aurora Police officer transported me to Kane county jail. The driver a Black man whose name I did not get, asked me a question that haunts me to this day! He asked me why would I hit the man who brought me back to life, and told me that my heart had stopped, and if it were not for the Paramedic I would be dead. He also said I should be grateful to this man. I truly am grateful to this man, and wish I could thank him for saving my life, and I would also like to apologize to him for any pain I may have caused him. To this day My headaches, and back pains are constant I feel that my rights have been violated (LARRY OWEN)

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

The relief I am requesting is punitive and compensatory damages in the amount of Ten (10) million dollars from the state of ILLINOIS, Kane County, the city of Aurora and the Aurora police department for brutality in which I sustained, Face, back, and eye, and Head injuries during the arrest from the arresting officers.

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this July day of 21, 2008

Lawrence W. Ouse
(Signature of plaintiff or plaintiffs)

LAWRENCE W. Ouse
(Print name)

N93734
(I.D. Number)

2268 E Morton Ave
Jacksonville IL 62650
(Address)

And for the violation of my Eighth Amendment Rights - cruel and unusual Punishment. I am also requesting that the court subpoena the Aurora Police Department records files for any, and all photographs that were taken of me after I was beaten, to serve as proof against the Aurora Police Department for police brutality prior to my admittance into the Hospital. I would also like to find the truth in this matter. So I can sleep at night

Thank you

X Lawrence W. Ouse

Lawrence W. Ouse

3 copies

Documents
From
Public Defender's

under the Freedom of Information act.
I would ask that the court order the
following documents to be sent, By my
public Defender (Mr Tatman and Mrs. Darr)
Address 37 W. 777 Rt. 38 St Charles IL 60175

- 1) Paramedic assessment Report
- 2) legible copy of my mug-shot (color)
- 3) Grand Jury minutes
- 4) All Police reports on case # 07-CF-1230
- 5) Hospital reports from (Good Samaritan)
- 6) All and ANY statements made by Nabors or
or witness.
- 7) Photos and Hospital reports of paramedic injury
- 8) Also to include any other documents, or
discovery that the State may possess on
Case # 07-CF-1230

2

Documents
From
Aurora Police Department

under the Freedom of Information act,
I would ask that the court order's the
following documents to be sent, By The
Aurora Police Department 350 N River Street
Aurora IL 60506

- 1) legible copy of my mug-shot (color)
- 2) All, and any statement's made on this case
- 3) All witness statement's on case # 07 CF 1230
- 4) The name of all officer who enter my home, or assisted in my arrest.
- 5) Transport officer report from Good Samaritan Hospital to Aurora police station, Name, Badge #
- 6) Transport officer's who took me from Aurora police station, to Kane county jail, Name, Badge #
- 7) copie's of All complaint's against Officer Ellis, and Officer Hester for excessive force and miss conduct of a Peace Officer
- 8) Any and all photographs taken of me
- 9) All patrol car video servelliance of my Arrest

3

From

(Downer Grove) Hospital Good Samaritan
IL

under the Freedom of information act, I would ask the court to order the following documents to be sent by, Good Samaritan Hospital of Downer Grove
3815 Highland Ave Downer Grove IL 60515
630-275-5900

- 1) Name of all Doctors and Nurse's who worked on LAWRENCE W. OUSEN ON May, 1st-2007 and later.
- 2) All VIDEO of Paramedic Bringing me in the Hospital or any video of myself wail in Hospital
- 3) All transmission from Paramedic - EKG or any written reports from Paramedic to Good Samaritan
- 4) ANY, and All Pictures of Lawrence Ousen
- 5) Any, and All Billing for Lawrence Ousen
- 6) Hospital assessment Report of Lawrence
- 7) Doctor, and Nurse's notes, and report's
- 8) copy's of all medicine used in my treatment

From

07-CF-1230

Aurora Paramedic

Under the Freedom of information Act, I would ask that the court order the following documents to be sent, By the Aurora Paramedic, that transported me to the Good Samaritan Hospital in Downer Grove IL.

- 1) copy of Paramedic assessment Report
- 2) copy's of All transmission between Paramedics and ALL Hospital's called, for my treatment
- 3) copy's of all medicine used in my treatment
- 4) copy's of EKG's while in transport, or other
- 5) copy's of all transmission, to include transmission to Home base.
- 6) copy's of Paramedic VanHorn service Record with Aurora Paramedic.